

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RECEIVED

APR 21 2017

EAF

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Johnny Figueroa

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

vs.

Thomas Dart

1:17-cv-3048

Judge Edmond E. Chang

Magistrate Judge Jeffrey T. Gilbert  
PC6

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

CHECK ONE ONLY:

☒ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

☐ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

☐ OTHER (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

I. Plaintiff(s):

- A. Name: Johnny W. Figueroa
- B. List all aliases: N/A
- C. Prisoner identification number: R15751
- D. Place of present confinement: East Moline Correctional Center
- E. Address: 100 Hillcrest Rd - East Moline, IL 61244

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Thomas Dart  
Title: Cook County Sheriff  
Place of Employment: Cook County Department of Corrections
- B. Defendant: N/A  
Title: N/A  
Place of Employment: N/A
- C. Defendant: N/A  
Title: N/A  
Place of Employment: N/A

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Johnny Figueroa v. K-Mart
- B. Approximate date of filing lawsuit: 2001 or 2002
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: NIA
- D. List all defendants: K-Mart
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): NIA "My attorney filed the case"
- F. Name of judge to whom case was assigned: NIA "Not Sure"
- G. Basic claim made: Excessive force. Employees from the loss prevention department broke my leg.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Out of Court Settlement.
- I. Approximate date of disposition: March 2008

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.



## IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I, Johnny W. Figueroa am submitting this Complaint of my own free will and accord. I am a 45 year old U.S. Navy Veteran that was detained in Cook County Jail for 16 months awaiting trial.

During my pre-trial confinement, I was housed in Division 2/3 annex tier E2 from October 22, 2014 until March 18, 2015. After spending 5 months in 3 annex and completing the Westcare program, I was transferred to Division 1 tier G1 "Veterans Tier" designed for incarcerated Military Veterans. I was housed in division 1 for 11 months, March 18, 2015 until February 8, 2016.

The entire time I was detained in Cook County Jail I was living under inhumane living conditions. I submitted several grievances while I was housed in 3 annex to the Social Worker "MR. Hinton" that was never answered. I also wrote several grievances while I was housed in Division 1 to Social Worker "MRS. Freeman" and those were unanswered. "Div 1 was declared condemned"



The issues I filed the grievances about was "3anner"

1. The Showers were hardly ever warm.
2. The Shower walls had mold, mildew and bacteria on them.
3. The Floor drains in the Shower didn't work and I had to Shower while standing in cold, filthy water which caused me to catch athlete's feet that spread to my groin area causing Jock Itch. "I was treated in health care."
4. The Shower crew / Sanitation department never came to power wash the Showers.
5. The ceiling leaked causing the ceiling tiles to become soaked and begin falling due to the rain, melting ice and snow. Electrical wiring and asbestos was also exposed in the ceiling due to the missing tiles in the ceiling. Mop buckets had to be placed in the bunk area and day room to collect the water from the leaking ceiling.
6. There was a major rat and insect problem. Rats used to eat through my plastic County issued property bag and eat and destroy my commissary items and leave rat feces on my clean clothing and food items.
7. The heat hardly ever worked.
8. There was no drinking fountain or water cooler on the tier so I had to drink water out of the sink that the other 50 men used to brush their teeth, Comb their

hair, Shave and wash their face in. There was nothing to clean or sterilize the sink or faucets with. People also washed their underwear and socks in those sinks.

\*The issues I wrote grievances about in Division 1\*  
Are:

1. The Showers had mold, mildew and bugs. The Showers were never power washed.
  2. The drinking water was brown in color with a foul odor.
  3. The heat did not work nor did the windows close.
  4. I was exposed to asbestos on the living unit and in Division 1 barber shop where I worked on 2nd Shift from March 18, 2015 until November 26, 2015.
  5. Division 1 had a rat and mice problem, The rats would climb in the bed with me. They would also eat and destroy my commissary.
  6. While walking to and from Court, I would have to walk through 2-4 inches of water because the tunnels would flood due to the corroding concrete foundation from division 1 to Criminal Courts building.
  7. While working in Division 1 barber shop, I had to cut Maximum security level detainees hair and I was medium security level detainee housed in a Max division.
- \* Also Division 1 was declared a condemned building.



I was also a participant in the Cook County Department of Corrections Veterans Laundry Management training Program.

We provided laundry services for the entire County Jail inmate population including Cermak Healthcare and a outside Contract for the Hyatt Hotel.

I filed grievances about the Work Conditions and inadequate Safety equipment but I never received a response.

These are the issues I filed a grievance about.

- 1). My daily tasks included Sorting and Washing Clothing that Contained human urine, feces, blood, vomit and semen. I was never issued proper protective uniforms or adequate safety equipment.
- 2). I was placed in a high risk situation for Contracting an airborne communicable disease and exposure to blood-borne pathogens.
- 3). I was never offered a hepatitis B vaccination or any other medication to prevent me from Contracting any infectious disease.
- 4). The laundry room was located in the basement of Division 5 and it had poor ventilation causing my breathing to become labored at times. Also, asbestos was exposed on the walls.
- 5). There were no designated break room to eat my lunch so I had to eat my lunch around soiled laundry.

On May 17, 2015 I lost my mother to Cancer. During this time I was under tremendous grief so I requested to speak to a grief Counselor or Chaplain. I was told that someone would come speak with me but no one ever did.



Eventually the inhumane living conditions along with the unsatisfactory and unsanitary work environment and the unaddressed grief I had suppressed took its toll on me leaving me to feel defeated, discouraged and depressed, so I plead guilty to the charges I was facing just so I could get out of Cook County Jail.

I feel that my rights have been violated and that the inhumane living conditions and the unsatisfactory work environment were unconstitutional that's why I'm filing this Complaint.

I enclosed certificates and verification letters to support the dates I was in 3 Annex, Division 1 and working in barbershop and laundry. 1.) Cook County Department of Corrections Veterans Laundry Management Training Program Credit verification letter 2.) CCDOC Veterans Laundry Management Training Program "Veterans letter of agreement". 3.) Cook County Sheriff's Office Inmate Work/Program Credit Verification Request "for working in Division 1 Barber shop" signed by Commander Tate. 4.) Certificate of Completion of the 120 day Westcare program in 3 Annex. 5.) Certificate of Completion of the Westcare Inside Out Dads program in 3 Annex 6.) Mothers Obituary.

Johnny Figueroa # R15751  
East Moline Correctional Center  
100 Hillcrest RD  
East Moline, IL 61244

#### Emergency Contact

DR. Tina Figueroa  
310 Monaco Terrace Apt. 2  
Joppa, MD 21085  
ph # 443-866-8984

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I respectfully request to be compensated for the entire 16 months of  
pain and suffering, time of distress, punitive damages. I also request that  
I receive a full medical examination bi-annually by a physician of my  
choice for the next 10 years at the expense of Thomas J. Dart. And if  
any illness or disease is detected as a result of me working or being housed  
at CCDOC that my medical bills be paid by Thomas J. Dart

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 13<sup>th</sup> day of April, 2017

  
(Signature of plaintiff or plaintiffs)

Johnny Figueroa  
(Print name)

B15751  
(I.D. Number)

East Moline Correctional Center

100 Hillcrest RD

East Moline, IL 61244  
(Address)

## UNITED STATES DISTRICT COURT

Northern DISTRICT OF ILLINOISJohnny W. Figueroa, )  
Plaintiff, )

v. )

Case No. \_\_\_\_\_

Thomas Dart, )  
Defendant, )NOTICE OF FILING

To:

To:

Clerk of U.S. District Court Northern District  
219 S. Dearborn Street  
Chicago, IL 60604Thomas J. Dart  
Daley Ctr Suite 704  
Chicago, IL 60602

(Original &amp; 1 copy)

(1 copy)

PLEASE TAKE NOTICE that on the date below indicated, I have served thru the U.S. Mail, with the above named parties, the below listed documents (number of copies & originals filed are listed below the addresses of the parties):

1. 1983 Complaint
2. IN Forma Pauperis Application and Financial Affidavit
3. Motion For Attorney Representation
4. Program Certificates, Verification letters
5. Mother's Obituary

AFFIDAVIT OF SERVICE

State of Illinois )  
County of Rock Island ) ss.

I, Johnny Figueroa, being first duly sworn, certify that I have served the above listed documents on the parties as above indicated by placing the originals and true copies of said documents in seal envelope(s) addressed as shown above, and by depositing said envelopes(s) in the box designated for U.S. Mail at East Moline Correctional Center, H.U. 2-Awing together with the appropriate request to the prison official responsible to affix fully prepaid First Class Postage thereon, on this day of April 13, 20 17.

Subscribed and sworn to before me  
this 13<sup>th</sup> day of April, 20 17.

/s/ Johnny Fig AFFIANT

Register NO. B15751  
East Moline Correctional Center  
100 Hillcrest Road  
East Moline, Illinois 61244

NOTARY PUBLIC

OFFICIAL SEAL  
TODD S JACKSON  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 07/20/19





# Veterans Laundry Management Training Program Inmate Work/Program Credit Verification Letter

Date of verification 13/Nov/15COURT DATE: 07/Dec/15*Last court Date - 2-8-16**Shipped to IDOC - 2-9-16*

To whom it may concern,

This Inmate Work/Program Credit Verification Letter is for the following detainee.

Detainee's Name:

Johnny FigueroaDate of birth: 24/Nov/1971

Date started program:

18/Mar/15Date ended program: Currently still in the program

Any date after the above court date the individual is required to re-submit an Inmate Work/Program Credit Verification Request to guarantee accuracy of all updated information.

## "Veterans laundry program information"

This program is designed to utilize military veterans who are incarcerated to teach them job skills that will help them when they return to society, the focus being rehabilitation instead of incarceration. The primary goal is to teach hands on training in the laundry industry. Just as in the military, the program teaches everyone involved to work as a team to accomplish similar goals and take pride in the work accomplished.

The daily tasks include: sorting, washing, drying, folding, order filling, sanitation and preventive maintenance tasks on commercial grade laundry machinery.

In addition, the program also makes available to the incarcerated veterans a more productive environment to help prepare the Veteran through life skills training that help in the re-entry process of society. The Veteran will learn a skill through the Veteran's laundry program and will gain a positive sense of accomplishment.

Participation verified by: OFC. J. Coddington #15886

Signature of verifier:

#15886



# COOK COUNTY SHERIFF'S OFFICE

## INMATE WORK/PROGRAM CREDIT VERIFICATION REQUEST

(CCSO may take 48 hours, excluding weekends and holidays before response to request is available.)



REQUESTOR NAME: Johnny Figueroa  
FIRST MIDDLE LAST

DATE REQUESTED: 26 Nov 2015

ADDRESS: \_\_\_\_\_  
NUMBER STREET APT. /OFFICE NUMBER STATE ZIP CODE

DAY PHONE NUMBER: \_\_\_\_\_ CELL PHONE NUMBER: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

REQUEST SUBMITTED BY: ☐ IN PERSON ☐ U.S. MAIL ☐ E-MAIL ☐ FAX

Requestor, please provide the name of the inmate and D.O.B., the name of the work or program(s) in which the inmate participated, the dates thought to have participated in work or programs and/or specific information about the program through which the inmate received a GED or a High School diploma. Please be as detailed as possible in your request, to assist in verifying information.

Detainee Figueroa, Johnny #20141020041 has worked inside Division One's barbershop (C.C.D.O.C.) since the 18th of March 2015. Detainee Figueroa has worked and conducted himself as a model detainee since he has been incarcerated in the C.C.D.O.C.

PLEASE SUBMIT YOUR REQUEST IN PERSON, VIA U.S. MAIL, EMAIL OR FAX TO:

COOK COUNTY SHERIFF'S OFFICE  
 ATTN: CCDOC RECORDS DEPT.  
 2700 SOUTH CALIFORNIA  
 CHICAGO, IL 60608

E-Mail: [ccso.inmateworkcredit@cookcountyil.gov](mailto:ccso.inmateworkcredit@cookcountyil.gov); Fax: (773) 674-3341  
 For further inquiries, please call (773) 674-7833

Cmdr TL  
26 Nov 2015

PREFERRED RESPONSE: ☐ IN PERSON ☐ U.S. MAIL ☐ E-MAIL ☐ FAX

### FOR OFFICE USE ONLY:

DATE RECEIVED: \_\_\_\_\_ REQUESTOR CONTACTED? IF YES, DATE: \_\_\_\_\_

DATE DUE: \_\_\_\_\_ DELIVERED VIA: ☐ U.S. MAIL ☐ E-MAIL

EXTENSION: \_\_\_\_\_ ☐ IN PERSON ☐ FAX

DEPARTMENT: \_\_\_\_\_

DATE SENT TO REQUESTOR: \_\_\_\_\_ VERIFIED BY: \_\_\_\_\_

Inmate Name \_\_\_\_\_ Inmate ID# \_\_\_\_\_

Dates and Name of the Program(s) \_\_\_\_\_

Obtained GED or High School Diploma while in CCDOC? YES ☐ NO ☐

If yes, date GED Test Passed or High School Diploma Received \_\_\_\_\_

Signed by Commander TATE





# Cook County Department of Corrections

## Veterans Laundry Management Training Program



### *Veteran's letter of agreement*

With:

Johnny W Figueroa

(Participants Full Name)

***U.S. Military Veteran and Detainee at Cook County Department of Corrections***

Inmate ID Number: 20141020041

Start date: 03/18/2015

Whereas, The Cook County Sheriff and the Cook County Department of Corrections ("CCDOC") have undertaken the Veterans Program to: assist inmates who are United States Military Veterans.

This program is designed to utilize military veterans who are incarcerated to teach them job skills that will help them when they return to society.

The primary goal is to teach hands on training in the laundry industry. The program teaches everyone involved to work as a team to accomplish similar goals and take pride in the work accomplished.

The daily tasks include: sorting, washing, drying, folding, order filling, sanitation and preventive maintenance tasks on commercial grade laundry machinery.

In addition, the program also makes available to the incarcerated veterans a more productive environment to help prepare the Veteran through life skills training that help in the re-entry process of society. The Veteran will learn a skill through the Veteran's laundry program and will gain a positive sense of accomplishment.

NOW THEREFORE, in exchange for these Opportunities,

JF I agree to participate in, and fully satisfy all conditions and requirements of the Veterans Program for the term set by the Veterans Program Staff. This agreement begins on the above start date, and includes but is not limited to the following:

JF I will consistently adhere to all components of the Veterans Program, including all rules and procedures established by the CCDOC.





# Cook County Department of Corrections

## Veterans Laundry Management Training Program



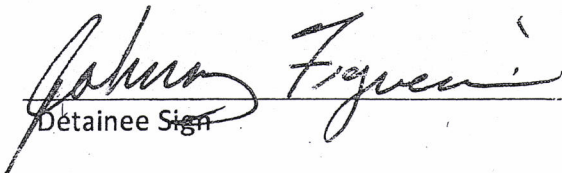
JF I will attend all scheduled classes, individual's conferences, and programs set forth by the Veterans Program Staff.

JF I will meet or exceed Behavior Expectations at work/ in classes, and any interactions with officers and staff.

JF I understand that I will be asked to participate in self-help groups and other support systems as recommended by the Veteran Program Staff.

JF I will attend work on the days and shifts that I am assigned/ scheduled to work.

*I attest that I am a Veteran of the United States Military and further that I understand that based upon any report (Written Or Oral ) of my violation of this agreement, that the CCDOC may seek restitution or other sanctions, including disciplinary segregation modify or revoke my Veteran Program Status.*

  
Detainee Sign

OFF. L.P. MATHIAS #15339

CCDOC Representative/ Veterans Program  
Staff



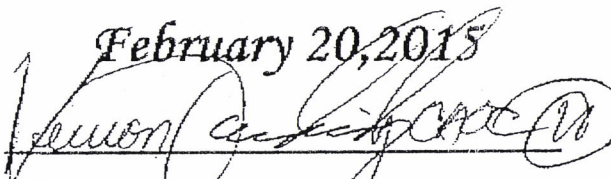
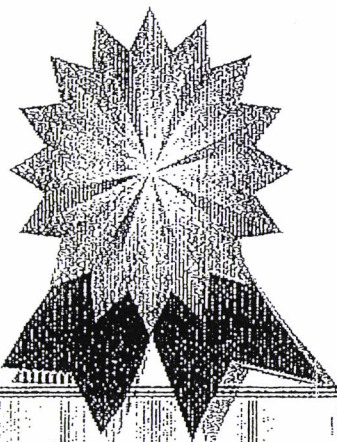
# WEST CARE

## Certificate of Completion

*This is to certify that*  
**JOHNNY FIGUEROA**

*Has successfully completed WestCare Program 120Days*

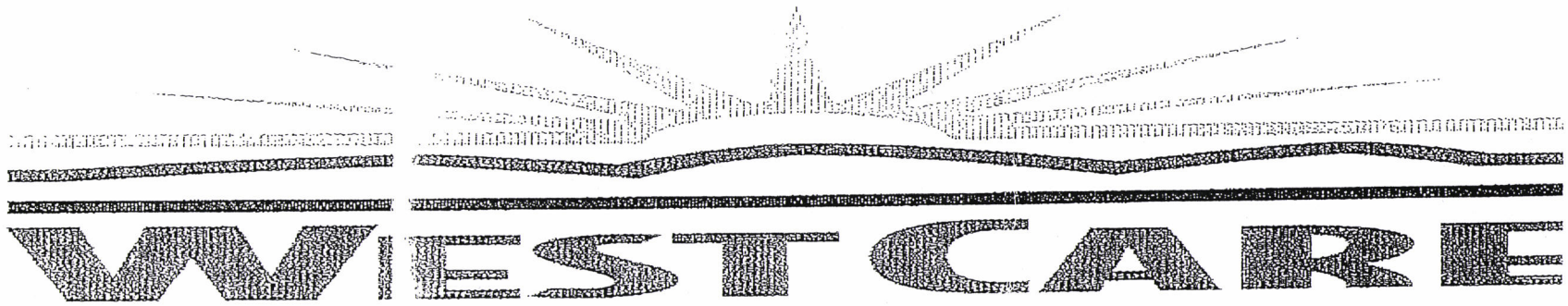
*February 20, 2015*



**Vernon Dandridge, CADC**

*Westcare Foundation*






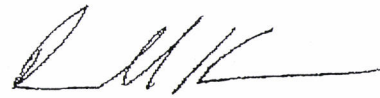
CERTIFICATE OF COMPLETION

*JOHNNY FIGUEROA*

AS SUCCESSFULLY COMPLETED  
INSIDE OUT DADS PROGRAM  
DECEMBER, 2014



  
Tyrone Cook, CMHC CADIC  
Clinical Supervisor

  
Ronald Harris, CADIC  
Clinical Supervisor



## A Mother's Love

A mother's love is located somewhere in a special place  
It can't be measured or defined by time or space.  
It can't be contained like the wind caught in a ship's sail  
But it can turn into tough love when all else fails.  
A mother's love is priceless, more beautiful than a  
precious jewel  
It's been known to build character stronger than any  
carpenter's tool.  
It will take on the world for the sake of an innocent child  
It's famous for wiping away tears and replacing them  
with smiles.  
A mother's love never rests and it doesn't know the meaning  
of sleep  
And the guidance you've given me in life, it's in my heart  
for keeps.  
I have been blessed to be protected by your unwavering love  
You are truly one of God's angels sent from heaven above.  
So as you read this poem, know that I took the time to pray  
That my words will bring you joy, on this very special  
Mother's Day.

Happy Mother's Day Mama!  
Love You Always

By: Johnny Figueroa  
AKA  
"Snookum"

## Honorary Pall Bearers

Anthony Shaw  
Kenneth Figueroa  
Christian Lester

Justin Brown  
Jered Brown  
Bruno Shepherd

## Active Pall Bearers

### Deacons

### *A Note of Appreciation*

The family is deeply grateful to the many relatives,  
friends, and neighbors for their many acts of  
kindness, expressions of sympathy, concern,  
support, and love. We solicit your continued  
prayers. May God bless each of you.



### *Services Entrusted to:*

William C. Brown  
Community Funeral Home, PA  
321 Philadelphia Blvd, South  
Aberdeen, MD 21001  
410-272-5100

*Private Interment*

## *Homegoing Service For*

*Lois Jean Shaw-Figueroa*

*Sunrise  
October 8, 1945*

*Sunset  
May 17, 2015*



**Saturday, May 23, 2015  
1:00 p.m.**

Refuge Temple Ministries C.O.G.I.C.  
116 Spesutia Road  
Aberdeen, MD 21001  
Pastor/Founder - Supt. Robert W. Whitley

EXIBIT



Evangelist Priscilla Harvin, Officiating  
The Order of Service



Processional	Family
Prayer	Mother Alberta Goodman
Scripture	Mother Melody Whitley
Refuge Temple Ensemble	"Soon and Very Soon"
Expressions – (Limit 5) Family & Friends (Please keep all remarks to 3 minutes or less)	
Acknowledgements	Evang. Nicole Williams
Song	Mrs. Alice Roberts (Niece of Mother Figueroa)
Obituary	Msny. Da'Shadiya Beck
Solo	Msny. Dianne Goodman
Sermon	Supt. Robert W. Whitley
Recessional	Family

*Words from Mom*

To my children:  
I love all of you. Just because I'm not physically here  
with you right now, doesn't mean I'm not spiritually here  
with you. I'm just away right now. I love you. Mom.  
April 20, 2015

The Obituary

*"Jesus said unto her, I am the resurrection, and the  
life; he that believeth in me, though he were dead,  
yet shall he live". John 11:25*

Mother Lois Jean Shaw-Figueroa was born October 8,  
1945 in Marion, AR to the Late Mr. John R. Shaw, Sr. and  
Mrs. Louise Farley-Shaw.

She entered into eternal rest on May 17, 2015 at  
Senator Bob Hooper House in Forest Hill, Maryland.

She professed a hope in Christ at the early age of 12  
at Fort Street Presbyterian Church in Detroit, Michigan.  
She moved back to Arkansas, from Detroit, in the early  
60's and joined True Light Baptist Church. In 1970, at the  
age of 25, she was baptized again and sang in the choir. She  
later joined New Jeremiah Christian Fellowship Church  
pastored by Bishop Brian Olden.

Lois received her General Education Diploma at  
Mississippi County Community College. She was united in  
marriage to the late Angel Figueroa who was an Army  
Veteran and proceeded her in death.

During her life she was a seamstress, foster parent,  
excellent cook and belonged to a Women's Bowling  
League. She was one of the original black-owned business  
owners in Blytheville, AR. She was an entrepreneur and  
owned a soul-food restaurant named, "The Silver Slipper".  
Mother Figueroa was the Shaw Family's humanitarian who  
cared for all of her brothers and sisters. After 20 years, she  
retired from American Greetings in Osceola, AR and  
decided to live the remainder of her life retired, glorious  
and faithful to the Lord.

She moved to Aberdeen, MD in 2011 and joined  
Refuge Temple Ministries COGIC and was appointed  
honorary Mother by the mother's board, Pastor and  
Founder Supt. Robert W. Whitley and First Lady  
Evangelist Melody Whitley.

She leaves to celebrate and remember her life:  
Three sons and two daughters.

Mr. Anthony (Elizabeth) Shaw of Blytheville, AR;  
Mr. Kenneth Figueroa of San Antonio, TX; Dr. Tina  
(Bruno) Shepherd of Joppa, MD; Mr. Johnny Figueroa of  
Chicago, IL; and Ms. Latrina Mullins of Norfolk, Va.

She also leaves: one sister, Mrs. Louise (Edward)  
Baynard of Baltimore, MD; Barbara Bell, who is an  
adopted sister and lifelong friend; 5 grandchildren, many  
nieces, nephews and other relatives and friends dear to her.



*Truly my soul waiteth upon God: from him cometh  
my salvation. He only is my rock and my salvation;  
he is my defence; I shall not be greatly moved.  
Psalm 62:1-2*